THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1768 of 2007

26.4.2007

Between:

Surimilla Anantha Rao, S/o.Sunder Rao

... Petitioner

AND

The District Collector, Adilabad District

And others

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1768 of 2007

ORDER:

This writ petition is filed assailing the proceedings of third respondent bearing No.RoR/Mancherial/28/04, dated Nil.7.2004 whereunder the said officer in purported exercise of powers under Section 5-A of Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (the Act, for brevity) regularized the sale transaction in favour of fifth respondent. The land is described as 373.33 sq.yards in survey No.362 of Mancherial Town. Petitioner seeks invalidation of the said order as illegal, violative of principles of natural justice and contrary to the provisions of the Act.

The brief fact of the matter is as follows. Petitioner is allegedly absolute owner of the land admeasuring Acs.0.30 gts in survey No.362 of Mancherial, which he purchased under unregistered sale deed executed on a stamp paper from Poorella Jakkaiah. He also states that the said document was impounded under Sections 38 and 40 of Indian Stamp Act, 1899 (Stamp Act, for brevity) by the second respondent, who issued proceedings dated 10.5.2006 certifying registration. Thereafter the petitioner constructed a house with asbestos sheets and residing in the said house bearing No.1-1-81 (old No.3-53). He alleges that he was out on employment due to which the house became dilapidated and in order to make it

_____

(**V.V.S.RAO, J**)

April 26, 2007.

YS